

AGENDA

PART 201 DISCUSSION GROUP
Administration Subgroup
Monday, November 27, 2006
Michigan Association of Counties Headquarters
935 N. Washington Avenue
Lansing, Michigan 48906
Tel: (800) 258-1152

9:00–9:15	Welcome and introductions	Julie Bennett <i>Public Sector Consultants</i>
9:15–9:30	Review of previous meeting	Julie Bennett <i>Public Sector Consultants</i>
9:30–9:45	Overview of solutions matrix	Julie Bennett <i>Public Sector Consultants</i>
9:45–10:15	Subgroup members' top three customer service areas	All
10:15–11:15	Discuss solutions matrix according to top three CSAs	All
11:15–11:30	Identify information needs	All
11:30–11:45	Public comment	Guests
11:45–12:00	Next steps, next meeting date, and adjourn	All

PART 201 ADMINISTRATION SOLUTIONS MATRIX

Program Change	Outcome Achieved/Issue Addressed
<ul style="list-style-type: none"> • Prioritize emergency cleanup and redevelopment projects over basic cleanup/risk-reduction projects. Could be done through site scoring method. • Allow for tiered closure. (C) (L) (B) • Allow for different closure standards based on two categories: residential and non-residential. (C) (L) 	Sites are closed and put into productive use.
<ul style="list-style-type: none"> • Identify lines of decision-making and closure process. • Shorten 6-month BEA review process. • Sites are addressed on a priority basis. • * Consider using Environmental Insurance to deal with uncertainty. (L) • *Develop list of specific instances where reopener would be used to address finality and consistency. (L) • *Consider permit or general cleanup by rule that allows simplified process for straightforward sites. (C) (L) • *Consider developing a site screening checklist to clarify required activities up front. (L) (C) 	The administrative process to close sites is efficient, certain, and consistent.
<ul style="list-style-type: none"> • Establish tiers of closures based on complexity/risk with different requirements. (C) • Emphasize pathway elimination. (C) • *Consider developing minimum standards for site characterization. (C) 	The risk-reduction activities (and associated costs) required to close sites are commensurate with the benefit they will achieve.
<ul style="list-style-type: none"> • Shift burden from DEQ to third party, possibly consultant. • Provide “based on existing information” protection. • *Consider a state form of errors & omissions insurance for agency staff. • *Consider dedicated staff to focus on cleanups that are stalled or delayed, i.e., “corrective action expeditor” (problem coordinator). (B) • *Consider that final closure document could be a “record of site condition” and include institutional controls (limited closure). (L) 	DEQ staff is empowered to close more sites (make good-faith decisions based on available information).
<ul style="list-style-type: none"> • Create incentives to encourage immediate source control. • Require “scoping meeting” at beginning of cleanup process. (C) (L) (B) • *Engage all stakeholders (customers) in the process to help identify risks. 	Risks are identified and addressed up front.

Note: Other workgroups are considering elements of the Administration Workgroup discussion, as there is inevitable overlap. The following notations indicate what other groups are discussing that material as well. (C) = Complexity Workgroup, (L) = Liability Workgroup, (B) = Brownfield Workgroup.

* = Suggestions in addition to Administration Workgroup discussion

Program Change	Outcome Achieved/Issue Addressed
<ul style="list-style-type: none"> • Require “scoping meeting” at beginning of clean-up process. (C) (L) (B) • Create appeals process. • *Engage all stakeholders including community at large. 	Affected parties are more involved in the site closure process.
<ul style="list-style-type: none"> • Require “scoping meeting” at beginning of clean-up process. (C) (L) (B) • Engage customers regularly throughout process. (C) (L) • Have more face-to-face meetings, rather than letters. • Consider formalizing appeals process. • *DEQ will consider itself a “resource center” of expertise and information, instead of a gatekeeper. 	Interaction between DEQ staff and customers is less adversarial.
<ul style="list-style-type: none"> • Prioritize emergency cleanup and redevelopment projects over basic cleanup/risk-reduction projects. Could be done through site scoring or other methods. • *Consider increased fees for review that would attach a deadline for review, default prioritization of projects. • *Consider a market-based valuation for priority using development potential and prospective market value (useful for brownfields redevelopment, not immediate risk abatement). 	DEQ staff are able to identify/prioritize workload.
<ul style="list-style-type: none"> • Identify funding and process for emergency response sites—prioritize. • Create parallel review processes for redevelopment projects—fast track them. (B) • Create a checklist-style approval for redevelopment projects. (C) 	Emergency response and redevelopment projects are given greater priority than non-emergency risk-reduction projects.
<ul style="list-style-type: none"> • Ensure that program is not so onerous that it makes greenfields more attractive for development. (L) (B) • Streamline brownfields approvals, encourage redevelopment. 	Redevelopment occurs in brownfields instead of developing greenfields.
<ul style="list-style-type: none"> • Encourage source removal for residential use. • Define pathways that must be eliminated for residential classification. • *Shift agency focus to end result; leave process to private sector for innovation and least-cost methods. 	Transition from industrial to residential land use classification is easier.